

AO 440 (Rev. 10/93) Summons in a Civil Action

# United States District Court

DISTRICT OF

PAUL J. McNALLY, as he is TRUSTEE, MASSACHUSETTS LABORERS' HEALTH  
AND WELFARE FUND and NEW ENGLAND LABORERS' TRAINING TRUST  
FUND; JAMES MERLONI, JR., as he is TRUSTEE, MASSACHUSETTS LABORERS'  
PENSION FUND and MASSACHUSETTS LEGAL SERVICES FUND;  
MARTIN F. WALSH, as he is TRUSTEE, MASSACHUSETTS LABORERS'  
ANNUITY FUND,

Plaintiffs

V.

BOSTON CHAIN LINK FENCE ERECTORS, INC. AND  
IT'S ALTER EGO BOSTON FENCE & SUPPLY, INC.

Defendant

AND

BANK OF AMERICA,

Trustee.

## SUMMONS IN A CIVIL CASE

CASE NUMBER:

05 CV 10258 NG

TO: (Name and address of defendant)

BOSTON FENCE & SUPPLY, INC.  
128 Newbury Street  
Peabody, MA 01960

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Elizabeth A. Sloane  
Segal, Roitman & Coleman  
11 Beacon St., Ste. 500  
Boston, MA 02108

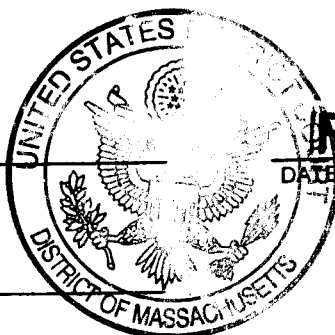
an answer to the complaint which is herewith served upon you, within 20 days after service of  
this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for  
the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of  
time after service.

**TONY ANASTAS**

CLERK

*[Signature]*

(BY) DEPUTY CLERK



FEB - 9 2005

DATE

AO 440 (Rev. 10/93) Summons in a Civil Action (Reverse)

**RETURN OF SERVICE**Service of the Summons and Complaint was made by me <sup>1</sup>

DATE

NAME OF SERVER (PRINT)

TITLE

*Check one box below to indicate appropriate method of service*

- ☐ Served personally upon the defendant. Place where served: \_\_\_\_\_
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: \_\_\_\_\_

- ☐ Returned unexecuted: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_



**Essex County Sheriff's Department** • PO Box 2019 • Salem, MA 01970 • 978-750-1900 ext. 3590  
Essex, ss.

TRAVEL

I hereby certify and return that on 5/6/2005 at 11:48AM I served a true and attested copy of the summons, complaint on judgment and exhibits in this action in the following manner: To wit, by delivering in hand to Frank Biscardi, owner, agent, person in charge at the time of service for Boston Fence and Supply, Inc., 128 Newbury Street, Peabody MA 01960 . Basic Service Fee (\$30.00), Conveyance (\$1.50), Travel (\$9.60), Postage and Handling (\$1.00), Copies (\$5.00)  
Total Charges \$47.10

May 10, 2005

jing

Deputy Sheriff Phillip Bouchard

*Phillip Bouchard*  
Deputy Sheriff #969

Date

Signature of Server

Address of Server